

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

CLOPAY CORPORATION, an Ohio corporation,

Plaintiff,

v.

JARED PRIEST, an individual,

Defendant.

Case No. CIV-23-228-Raw-Jar

**ORDER**

Before the court is the Findings and Recommendation (hereinafter “F&R”) entered by Magistrate Judge Robertson [Docket No. 24], recommending that the Defendant’s motion to dismiss for lack of jurisdiction [Docket No. 19] be granted and that Plaintiff’s motion for confirmation of arbitration, entry of judgment, and award of attorney’s fees and costs [Docket No. 12] be found moot due to the granting of the dismissal. No objections to the F&R have been filed. The standard of review is *de novo*. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3).

As stated by Magistrate Judge Robertson, the only claims before this court are the confirmation of an award of preliminary injunction and monetary award of \$33,327.65. As this award does not meet the threshold amount in controversy, the court has no § 1332 jurisdiction. Moreover, as the stated in the F&R, for this court to have jurisdiction to confirm an award under the FAA, the award must be final, and the award at issue is not final.

The F&R is well-supported by the evidence and the prevailing legal authority. It is hereby affirmed and adopted as this court’s Findings and Order. The motion to dismiss for lack

of jurisdiction [Docket No. 19] is hereby GRANTED, and this action is hereby DISMISSED.

Accordingly, Plaintiff's motion [Docket No. 12] is MOOT.

**IT IS SO ORDERED** this 22nd day of March, 2024.



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**THE HONORABLE RONALD A. WHITE  
UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF OKLAHOMA**